

\$ 400.00
CDJ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ROBERT REINKING,

Plaintiff,

v.

GC SERVICES, LP

Defendant.

)
)
)
)
)
)
)
)
)
)

No.

14 2998

PLAINTIFF'S COMPLAINT

NOW COMES Plaintiff, ROBERT REINKING ("Plaintiff"), by and through his attorneys, and for his Complaint against Defendant, GC SERVICES, LP, ("Defendant"), alleges as follows:

Nature of the Action

1. This action is brought by Plaintiff pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

Jurisdiction and Venue

2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
3. Defendant conducts business in the State of Pennsylvania and, therefore, personal jurisdiction is established.
4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

Parties

5. Plaintiff is a natural person residing in Lansdale, Montgomery County, Pennsylvania.
6. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
8. Defendant is a national company located in Houston, Texas.
9. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

Factual Allegations

10. In or around March of 2014, Defendant placed collection calls to Plaintiff seeking and demanding payment for an alleged consumer debt.
11. Plaintiff's alleged debt arises from transactions for personal, family, and household purposes.
12. Defendant called Plaintiff's telephone number at 215-362-76XX.
13. In or around March of 2014, Defendant called Plaintiff and left a voicemail message on Plaintiff's answering machine. See transcribed voicemail message attached hereto as Exhibit A.
14. In the voicemail message, Defendant failed to meaningfully disclose the company's name or the nature of the call or state that the call was from a debt collector. See transcribed voicemail message attached hereto as Exhibit A.

15. In the voicemail message, Defendant directed Plaintiff to call back telephone number 866-749-7274, extension 6127, which is a number that belongs to Defendant. See transcribed voicemail message attached hereto as Exhibit A.
16. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

CLAIM FOR RELIEF

Count I – Fair Debt Collection Practices Act

17. Defendant's violations of the FDCPA include, but are not limited to, the following:
- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff;
 - b. Defendant violated §1692d(6) of the FDCPA by placing collection calls to Plaintiff without meaningful disclosure of the caller's identity.
 - c. Defendant violated § 1692e of the FDCPA by using false, deceptive or misleading representations or means in connection with the collection of the debt;
 - d. Defendant violated § 1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt;
 - e. Defendant violated § 1692e(11) of the FDCPA by failing to disclose in its communications with Plaintiff that the communication was from a debt collector.

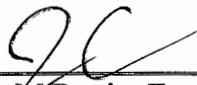
WHEREFORE, Plaintiff prays that judgment be entered against Defendant for the following:

- (1) Statutory damages of \$1000.00 pursuant to 15 U.S.C. § 1692k;

- (2) Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
- (3) Awarding such other and further relief as may be just, proper and equitable.

Dated

RESPECTFULLY SUBMITTED,

By: 

Jason M Rettig, Esquire
100 W Monument Ave
Hatboro, PA 19040
Phone :(267) 879-9054
E-mail: rettiglaw@yahoo.com
Attorney for Plaintiff

EXHIBIT A

“Hi, Robert Reinking, this is (unintelligible), please give me a call back at 866-749-7274 extension 6127. Thank you.”